

DRINKER BIDDLE & REATH LLP
One Logan Square
18th & Cherry Streets
Philadelphia, PA 19103
(215) 988-2700
David B. Aaronson (DA-8387)

Attorneys for Henkel Corporation

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X	
In re:	: Chapter 11
	:
DPH HOLDINGS CORP., <u>et al.</u> ,	: Case No. 05-44481 (RDD)
	:
Debtors.	: (Jointly Administered)
-----X	

**PRECAUTIONARY RESPONSE OF HENKEL CORPORATION TO DEBTORS’
FORTIETH OMNIBUS CLAIM OBJECTION**

Henkel Corporation (“Henkel”), by and through its undersigned counsel, hereby files this precautionary response to the *Debtors’ Fortieth Omnibus Claim Objection* (the “Claim Objection”) and respectfully states as follows:

BACKGROUND

1. Henkel Corporation timely filed various unsecured proofs of claim against various debtor entities.
2. Henkel is currently working on a global resolution of all of its claims, however, more time is needed to see if a settlement can be reached.
3. Henkel requests that the hearing on this matter be adjourned until such time as the parties are able to determine whether a global resolution of all claims is possible.
4. Such adjournment is appropriate as it may moot the need for a hearing (thereby preserving judicial and the estates’ resources) and will avoid a piecemeal resolution of Henkel’s

claims (thereby fostering efficiency).

MEMORANDUM OF LAW

5. Henkel submits that the relevant legal authorities, if any, are set forth in this Response (and its prior responses) and that no novel issues of law have been raised. Accordingly, Henkel requests that the requirement pursuant to Local Bankruptcy Rule 9013-1(b) that they file a memorandum in support of this Objection be deemed satisfied.

RESERVATION OF RIGHTS

6. Henkel reserves the right to update or supplement this Response as necessary.

CONCLUSION

WHEREFORE, Henkel Corporation respectfully requests that the Court enter an order (i) adjourning the hearing on the Debtors' Claim Objection until after the parties have concluded their settlement discussions and (ii) granting such other and further relief as this Court deems necessary and proper.

Dated: January 20, 2010

Respectfully submitted,

DRINKER BIDDLE & REATH LLP

By: /s/ David B. Aaronson
David B. Aaronson (DA-8387)
DRINKER BIDDLE & REATH LLP
One Logan Square
18th & Cherry Streets
Philadelphia, PA 19103
Telephone: (215) 988-2700
Facsimile: (215) 988-2757

Attorneys for Henkel Corporation

DRINKER BIDDLE & REATH LLP
One Logan Square
18th & Cherry Streets
Philadelphia, PA 19103
(215) 988-2700
David B. Aaronson (DA-8387)

Attorneys for Henkel Corporation

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X	
In re:	: Chapter 11
	: :
DPH HOLDINGS CORP., <u>et al.</u> ,	: Case No. 05-44481 (RDD)
	: :
Debtors.	: (Jointly Administered)
-----X	

CERTIFICATE OF SERVICE

I, David B. Aaronson, hereby certify that on January 20, 2010, I caused a true and correct copy of the *Precautionary Response Of Henkel Corporation To Debtors' Fortieth Omnibus Claim Objection* to be served by operation of the Case Management/Electronic Case Filing System to those parties receiving electronic notice in the above-captioned case.

Dated: January 20, 2010

DRINKER BIDDLE & REATH LLP

By: /s/ David B. Aaronson
David B. Aaronson (DA-8387)
DRINKER BIDDLE & REATH LLP
One Logan Square
18th & Cherry Streets
Philadelphia, PA 19103
Telephone: (215) 988-2700
Facsimile: (215) 988-2757

Attorneys for Henkel Corporation